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Welcome

In this Issue of JustResearch we are pleased to profile three recent projects completed by the Research and Statistics Division. First, Dr. Fernando Mata provides a summary of our recent research into minority views on the *Anti-terrorism Act*, which used a qualitative focus group research design in several sites across Canada. Second, Valerie Howe discusses the ongoing work of the Canadian Biotechnology Strategy and the relationship between advances in technology and emerging privacy concerns. Third, Steven Kleinknecht summarises the international literature on the phenomenon of auto-theft among youth, with a focus on the effectiveness of programming responses and the distinction between "joy-riding" and more profit-driven motivations for such behaviour.

As always, we review research on a broad range of topics including the effectiveness of "John Schools" in changing perceptions of prostitution, the dynamics of illegal firearms transactions in Canada, children's involvement in domestic violence incidents, and the nature and extent of unwanted exposure to sexually explicit material on the Internet amongst youth.

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FEEDBACK

We invite your comments and suggestions for future issues of JustResearch. We welcome your ideas for articles, themes, topics or issues to examine from the literature and are happy to include information on any relevant and interesting research work undertaken in other departments. We may be contacted at: rsd.drs@justice.gc.ca

Upcoming Conferences

The 9th International Money Laundering Conference and Exhibition. February 3-6, 2004. Miami, Florida, USA. Theme: Essential Procedures for Good Anti-Money Laundering Programs; How Terrorists Get and Move Their Money, Suspicious Activity After 9/11; Hot Issues in Latin America, Canada, Caribbean, Europe & Middle East; and How to Investigate, Prosecute & Defend a Money Laundering Case. http://www.moneylaundering.com/Conferences/Miami04/index.asp

National Network for Youth Symposium 2004: Creating Opportunities on the Road to the Future. February 22-25, 2004. Washington, District of Columbia, USA. Theme: More than 35 Workshops on Health, HIV Prevention, Drug/Alcohol Prevention, Skill-Building Capacities, Public Policy, and Diversity as Related to Youth. http://www.nn4youth.org/

The 20th National Symposium on Child Abuse: Celebrating the Past, Embracing the Future. March 16-19, 2004. Huntsville, Alabama, USA. Theme: Various workshops such as: How Working as a Team Can Increase Your Confession Rate: The Law Enforcement / CPS Connection; Children's Advocacy 101: Improving Community Response to Child Abuse; Demonstrations in Court. http://www.nationalcac.org/

The 12th Annual Meeting of the Society for Prevention Research-Crossing Borders: Linking Prevention Science, Policy and Practice. May 26-28, 2004. Quebec City, Canada. Theme: Prevention Research in Real World Settings; Monitoring Systems for Children and Youth; Evidence-Based Standards; Tobacco, Alcohol and Drug Control Policies; Economic Analyses in Prevention Research and Early Childhood Development. http://www.preventionresearch.org/meeting2004.php

Connexions

US Department of Justice, Bureau of Justice Statistics. The Bureau of Justice Statistics offers an extensive array of data ranging from crime and victim characteristics to special reports on issues such as drugs and re-entry trends. In addition to a section on international statistics, it provides a link to a wide selection of publications prepared by the Bureau, as well as to a number of other sources such as the FBI and the White House Social Statistics Briefing Room.
http://www.ojp.usdoj.gov/bjs/

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Connexions

Legal Services Research Centre.
The Centre is the research division of the United Kingdom's Legal Services Commission. The centre's mandate is to inform legal aid policy and also explore the issue of social equality in general. It offers a list of downloadable publications on these subjects in addition to links to relevant government departments and professional organizations.
http://www.lsrc.org.uk/index2.htm

United Nations Office on Drugs and Crime.
This site offers research on international drug production and demand trends in the context of the United Nations' commitment to work towards the elimination of illicit drugs. It also links to the UN global news service and other partner organizations.
http://www.unodc.org/unodc/index.html

International Center for the Prevention of Crime (ICPC).
Initially established by Canada, France and Great Britain, the ICPC primarily undertakes comparative analyses to assist countries in reducing delinquency and violent crime. The website links to several other international organizations with a similar goal.
http://www.crime-prevention-intl.org/english/icpc/index.html

REVIEWS

The Effectiveness of *John Schools*

Wortley, S., Fischer, B. & Wester, C. (2002). Vice lessons: A survey of prostitution offenders enrolled in the Toronto John School Diversion Program. *Canadian Journal of Criminology and Criminal Justice*, 44(4), 369-403.

Reviewer: Alessandra Iozzo, Research Officer

Attempting to combat the far-reaching implications of prostitution has occupied the time and energy of politicians, policy specialists, academics and social service providers for decades. Rather than attempting to legislate the problem away, a fairly recent solution appeared in the form of the Toronto First Offender Prostitution Diversion Program, informally known as the *Toronto John School*. This program is the focus of the present article which seeks to describe and evaluate the program. The authors undertook a multi-component independent evaluation of the *Toronto John School* between 1998 and 2001. The evidence that forms the basis of this article focuses on one component of the evaluation: participants' pre- and post- program surveys.

THE EFFECTIVENESS...
continued...

Inspired by the San Francisco model, the Toronto John School was launched in 1996 as a post-charge, pre-trial option for first time "clients of prostitution" charged under section 213 of the *Criminal Code* (communication for the purposes of prostitution). The program is run under the joint auspices of the Ontario Attorney General's office, the Mayor's Task Force on Prostitution, Toronto Police Services and the Salvation Army. Following the inception of the Toronto School, the diversion program has been developed and implemented in several other Canadian cities including Ottawa, Hamilton and Vancouver.

The main focus of the program is to increase awareness of the dangers associated with the sex trade, and to increase the participants' knowledge of prostitution in general. At the time of arrest, the participant is given a court date and upon the submission of a guilty plea, and approval of the Crown attorney, the participant is registered for the one-day course. Upon completion of the course, the original charge is dropped. The course "tuition" is $400 paid for by the participant. The course includes a series of presentations emphasizing the prostitute's role in the sex trade as well as the implications for the participant (sexually transmitted disease, social repercussions, physical danger). The John School is premised upon seven objectives as follows:

"The main focus of the program is to increase awareness of the dangers associated with the sex trade, and to increase the participants' knowledge of prostitution in general."

1) to ensure participants take responsibility;
2) educate participants about prostitution law in Canada;
3) increase participants awareness of the victims of street prostitution;
4) increase awareness of dangers of prostitution;
5) increase awareness among participants that they may have a problem with their own sexual behaviour;
6) attempt to change participants attitudes toward prostitution; and,
7) deter participants from engaging in prostitution related activities.

The authors found that the program was successful in some capacity. For example, a pre-post comparison indicated that respondents were more likely to accept responsibility for their actions, more likely to acknowledge they may have a sex addiction problem and less likely to view the sex trade favourably.

Following participation, the researchers found, however, that the diversion program's ability to change attitudes toward prostitution were "small and statistically insignificant". Most notably, the researchers reported serious concerns about the John School model, including confusion among the major stakeholders about the objectives of the program and ambiguities with record keeping. Further, the demographic profile of the participants indicates the program targets primarily working class, immigrant communities. The undercover "raids", for example take place on the street and do not include massage parlours,

THE EFFECTIVENESS... CONTINUED...

or escort services. Language proficiency is also a problem, as many of the participants do not speak English well enough to benefit from the presentations during the one-day course. The mandatory guilty plea may also interfere with due process, as many of the participants feared a criminal trial and believed the diversion program was their only viable option.

The authors conclude that the limited benefits of the program do not outweigh the serious operational concerns. Given the apparent class and race bias inherent in the undercover "stings", as well as the structural limitations entrenched in the diversion program, the authors conclude further that it may be more fruitful to conduct a comparative analysis between the four Canadian cities that have instituted this program.

A Question of Deterrence

Pogarsky, G. & Piquero, A. (2003). **Can punishment encourage offending? Investigating the "resetting" effect.** *Journal of Research in Crime and Delinquency*, 40(1), 95-120.

Reviewer: David Greenwood, Research Assistant

An underlying assumption of many criminal justice systems is that punishing an offender should discourage them from offending again. Yet several recent studies question this precept of deterrence, noting that punished offenders often fear capture and punishment less than non-punished offenders. Pogarsky and Piquero present two theories that attempt to explain these findings and test for whether either one holds true. While their final results do not conclusively answer this question, they do cast doubt on the effectiveness of punishment as a deterrent.

The two theories presented which question deterrence are "selection" and "resetting". The former theories expect that punishment is merely a way to identify already-committed offenders who are willing to expose themselves to higher risk. For example, a "professional" shoplifter "accepts jail and its inconveniences as a normal hazard of the trade". Punishment, in short, does nothing to deter re-offending. The latter theory predicts that, not only does punishment fail to deter offenders, but it may even encourage them. This is due to the "gambler's fallacy" under which many criminals operate, where capture is seen as a stroke of bad luck that must eventually even out. Thus, the offender's sanction-certainty estimate - how high they rate their chance of capture - drops after being caught.

"Punishment, in short, does nothing to deter re-offending."

In order to test whether these theories hold true in practice, 253 students from "a large public university in the southwestern United States" were asked to complete a survey dealing with drunk driving. The students evaluated, on a scale of 0 to 100, the likelihood that they would drive drunk and the likelihood they would get caught doing so. They were also asked if they had prior punishment experience, in this case being "stopped by the police

A QUESTION OF...
continued...

when they believe their blood alcohol content was above the legal limit". These responses were used to develop an individual's sanction-certainty estimate. Next, the authors sought to categorize the students according to whether they were a high or a low risk to offend. To this end, frequency of alcohol consumption, prior offending (of any kind), personal characteristics, such as sex and impulsiveness, and peer influence were considered. By dividing the results into four groups, along two dimensions – high or low risk status and whether they had previously been punished – a comparison of the mean sanction-certainty estimates was used to analyze each theory.

While the results indicate a significantly higher sanction-certainty estimate among low-risk individuals without prior punishment, neither selection nor resetting is conclusively supported. Resetting, for example, is limited to the least experienced offenders, which the authors suggest supports recent findings that experienced offenders may not consider the likelihood of capture at all. Nevertheless, the drop in sanction-certainty estimates among high-risk individuals or low-risk individuals with prior punishment puts into question the efficacy of punishment as a deterrent. The article concludes by suggesting further research into the area of "vicarious" punishment, in which efforts are concentrated on capturing the most committed offenders and "...treating them in such a way as to promote general deterrence".

Youth and Exposure to Unwanted Sexual Material on the Internet

Mitchell, K. J., Finkelhor, D. & Wolak, J. (2003). **The exposure of youth to unwanted sexual material on the Internet: A national survey of risk, impact, and prevention.** *Youth & Society*, 34(3), 330-358.

Reviewer: Steven Kleinknecht, Research Analyst

There has been a great deal of debate surrounding the regulation of the Internet. Issues concerning privacy and freedom of speech are often juxtaposed against concerns of crime prevention and safety. The general consensus is that a balance must be struck between these two areas of concern. However, the debate becomes even more complex when the well being of children and youth is taken into account. One particular concern in this regard is the exposure of youth to unwanted sexually explicit material on the Internet. The article examined for this review investigates a series of unanswered questions, which are central to the debate. For example: Are youth being exposed to unwanted sexual material on the Internet? Who is most at risk of unwanted exposure? What is the immediate emotional impact of exposure? Does the use of filtering and blocking software and parental supervision reduce exposure?

YOUTH AND EXPOSURE...
continued...

Data from the American Youth Internet Safety Survey were analysed to explore these questions. The sample consisted of 1,501 Internet-using youth between the ages of 10 and 17 and is representative of Internet-using youth in the United States. The sample was identified through another large, nationally representative household survey, the Second National Incidence Study of Missing, Abducted, Runaway, and Thrownaway Children. Data were collected through the use of telephone interviews with youth identified as regular Internet users. Regular Internet use was defined as, "using the Internet at least once a month for the past six months, on a computer at home, school, a library, someone else's home, or some other place." The researchers defined unwanted exposure to sexually explicit material as, "without seeking or expecting sexual material, being exposed to pictures of naked people or people having sex when doing online searches, surfing the Web, and opening e-mail or e-mail links."[1]

"...25% of regular Internet-using youth were exposed to one or more unwanted sexual pictures while online."

In the year previous to the survey, 25% of regular Internet-using youth were exposed to one or more unwanted sexual pictures while online. Seventy-three percent (73%) of these exposures occurred while searching or surfing the Internet. Sixty-seven percent (67%) of exposures occurred while the youth was using the Internet at home. The majority of pictures encountered simply depicted naked people, however, 32% showed people having sex and another 7% depicted both violence and nudity. Due to the subjective determination of age and other definitional issues, the study did not collect data on the number of exposures that contained child pornography.

While males were almost six times more likely to admit to voluntary exposure, there were no significant gender differences in terms of probability of unwanted exposure. The results further indicate that older youth were more likely to be exposed to unwanted sexual material. Sixty percent (60%) of the unwanted exposures were reported by youth 15 and over. Seven percent (7%) of unwanted exposures occurred to youth between 11 and 12 years old, while none of the 10 year olds reported any unwanted exposures. The authors point out that this finding may be related to younger children's less independent use of the Internet.

Those most at risk of unwanted exposure included youth who used the Internet a great deal, used the Internet at others' homes, participated in chat rooms and used e-mail. Talking to strangers

1 Instant messaging was taken into consideration in this report. However, it does not appear that three other significant areas of potential exposure (i.e. Newsgroups, internet Relay Chat File Servers and peer-to-peer networks) were taken into account.

YOUTH AND EXPOSURE...
continued...

and engaging in other forms of risky online behaviour (e.g., harassing people online, intentionally visiting x-rated sites), as well as youth who reported physical or sexual abuse and/or depression were also more likely to be exposed to unwanted sexual material.

In terms of the youths' response to exposure, 57% indicated that they disclosed the unwanted exposure to someone. Parents were either told or found out in 39% of the exposures. In 30% of the episodes, the youth disclosed the encounter to friends or siblings. Youth or their families were not very likely to notify authorities about the exposure. Of those notified, 3% were teachers or school officials and 4% were Internet Service Providers. None of the exposures led to the police being notified by the child or parent.

"None of the exposures led to the police being notified by the child or parent."

Of those who were exposed to unwanted sexual material, 24% reported that they were very upset or extremely upset by the exposure. Twenty-one percent (21%) reported that they were very embarrassed or extremely embarrassed by the exposure. Nineteen percent (19%) indicated at least one stress symptom (e.g., feeling jumpy, irritable, or having a hard time falling asleep, etc.) at the level of more than a little or all the time in the days immediately following the exposure.

Just under a third (31%) of youth reported that their families had installed Internet filtering and blocking software, which was found to reduce exposure to unwanted sexual material by 40%. Still, 18% of youth indicated they were exposed to unwanted sexual material on a home computer even when they reported that filtering and blocking software was installed. However, the researchers indicate that it is not known whether the software was installed before the exposure or as a result of the exposure.

"...18% of youth indicated they were exposed to unwanted sexual material on a home computer even when they reported that filtering and blocking software was installed."

Parental supervision activities were not associated with a reduction in exposure. Some pro-active prevention measures taken by parents (checking the history function, asking what the youth does on-line, and checking the screen while the youth is on-line) were actually associated with increased exposure. Parents who know their children are engaging in more risky on-line behaviour and thus, checking on the youth more frequently, may account for this discrepancy. Additionally, previous exposure might also prompt parents to be more vigilant in attempting to reduce future unwanted exposures.

This study is an important contribution to the policy debate concerning regulation and children's exposure to unwanted sexual material. Key to policy decisions, the researchers contend, are

YOUTH AND EXPOSURE...
continued...

the dimensions of choice and intrusion. An important conclusion they make in this regard is that, "Policy makers might find that there is consensus around regulatory steps that inhibit involuntary and intrusive exposure on the Internet, including penalties against or consumer remedies for those who try to trick or entrap or who send spam (mass-mailed and unrequested e-mail) with sexual content." The authors make several suggestions for research that would attempt to validate these results and respond to other relevant knowledge gaps in an effort to assist policy makers. For example, they advocate that research be undertaken to investigate the long-term impact of unwanted exposure, the efficacy of parental education and supervision, and the use of filtering and blocking software under real world conditions. ▲

Dynamics of Illegal Firearms Transactions

Morselli, C. (2002). **The relational dynamics of illegal firearm transactions**. *Canadian Journal of Criminology*, 44(3), 255-277.

Reviewer: Damir Kukec, Senior Statistician

This study explores the issue of general firearms availability (e.g. household ownership rate of a country) and the manner in which select incarcerated offenders in Montreal acquired firearms illicitly. The main thrust of the study challenges the notions that general firearm availability alone can provide insight into illicit firearm acquisition patterns. The study suggests that we must examine more closely gun ownership populations and the individual's relationship with firearm owners to better understand the prevalence and manner in which firearms are acquired illegally.

Method

This study relies on voluntary face-to-face interviews with 21 adult male inmates from federal institutions in and around Montreal. Between March 1995 and August 1995, interviews were completed with inmates who indicated that they "had directly participated in one or more illegal firearm transactions since 1980 in the Montreal region" (p. 6). It is important to note that over half of the inmates interviewed indicated that they were "active, to some extent, in drug dealing or drug consumption" (p. 6). Also of interest, is that criminal gun use was not part of the selection criteria, and only seven of the inmates "had been previously convicted of criminal gun use" (p. 6). It is unclear whether any of the inmates were now serving sentences for criminal gun use or for any other violation of Canada's gun control laws. The unit of analysis for the study was the illegal firearm transaction as reported by the interviewee. For each reported illegal transaction, the study further explored the relationship between the person who provided the firearm (the supplier) and the interviewee who acquired the

DYNAMICS OF ILLEGAL...
continued...

firearm (the acquirer). The manner in which the transaction took place was also explored.

Findings

The study found that most of the inmates reported transactions that happened "several years before they would ever be incarcerated, let alone before they were ever arrested" (p. 6). Interviewees reported 57 illicit firearm transactions, which "involved the acquisition of 71 firearms: 45 handguns, 18 hunting guns, and 8 automatic firearms" (p.7). Although the interviewees reported 12 firearm thefts (6 handguns and 14 hunting guns), the study excludes these thefts from the analysis. Using Boissevain's[1] patterns and interpersonal relationship typologies to guide the analysis, the study uncovered the following types of illicit firearm transactions. The typology includes "two general areas of contact" that include the "first order" and the "extended zones" describing the "duration, frequency and multiplexity of the relationship" (p. 7). Under the heading of "first order" the study describes four sub-areas of contact; under a continuum the first indicates a strong personal or social bond between supplier and acquirer and the fourth represents a more "functional" or "instrumental" and "distant" relationship between the two.

The four typologies include: 1) personal cell group; 2) intimate zone; 3) effective zone; and, 4) nominal zone. The interviews revealed that the majority of transactions took place within the intimate (n=18) and effective (n=19) zone areas. The personal cell group (n=4) and nominal accounted (n=7) for a smaller number of transactions. The study also reported that "9 of the 57 transactions involved the gun acquirers penetrating into their respective extended zones", suggesting that transactions do not necessarily require "personal" contacts to acquire firearms illegally (p. 8).

"...transactions do not necessarily require "personal" contacts to acquire firearms illegally."

The study also examined the manner in which transaction were initiated. This was organized in two general categories: searches and offers. The analysis found that transactions within the "intimate zone" were more likely to generate an "offer" where the supplier offers to provide the person with a firearm. The opposite was found in the "effective zone" where the majority of transactions involve a person "searching" for a firearm. The "personal cell group" and "nominal zone" reported similar initiation patterns, with both reporting primarily "offers" rather than "searches". Transactions were more likely to involve the searches

1 Morselli cites the work of Boissevain J. (1974). *Friends of Friends: Networks, Manipulators, and Coalitions*. Oxford: Basil Blackwell.

DYNAMICS OF ILLEGAL...
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when the firearm was specialized such as "assault rifles, machine guns, and other highly powerful weapons".

The presence of an intermediary that had a "first order" relationship with the supplier and the searcher was an essential element to a successful transaction between the individuals from the "first order" and the "extended zone". The majority of such intermediates come from the "intimate" and "effective" zones since these zones typically connect more individuals within their first order zone that are considered trustworthy and dependable. The "personal cell group" is trustworthy; however, they may be too small to find the required supplier, and the "nominal zone" may contain many individuals with connections to suppliers; however, they may not be trustworthy.

The study analysed different types of firearm transactions. The most frequent type of transaction required a cash purchase. However, some transactions also involve the exchange of illicit commodities, such as drugs. In some instances, transactions involve the exchange of a "favour". Once again, the relationship typology appears to influence the transaction mode (e.g., cash, illicit commodities, favour, etc.). "Personal cell groups" would likely involve non-exchange transactions and "extended zone" would typically always involve exchange transactions. The study also points out that some suppliers loan firearms to acquirers, and that most of these transactions take place between individuals from the "personal cell group".

Comments

"...while the general number of guns in a geographical area may have an impact on availability and accessibility, relationships also play a significant role as well."

The study correctly points out that the findings should not be seen as representative of the "general inmate nor offender population" (p. 16). Furthermore, the data present a "success bias", and suggests that information on failed transactions would be equally important in understanding the role that relationships play in acquiring firearms illegally (p. 16). Regardless of these limitations, the study provides new information and valuable insight into the role that relationships may play in illegally acquiring guns. Clearly, while the general number of guns in a geographical area may have an impact on availability and accessibility, relationships also play a significant role as well. What would be of interest is further exploring the origin of the firearm (including those stolen) traded on the illicit market, the motivation for acquiring a firearm illegally, and the outcome (how the firearm was used) of firearm transactions among offenders.

Criminal Harassment

Sheridan, L., Gillett, R., Davies, G.M., Blaauw, E. & Patel, D. (2003). There's no smoke without fire: Are male ex-partners perceived as more 'entitled' to stalk than acquaintance or stranger stalkers? *British Journal of Psychology*, 94, 87-98.

Reviewer: Susan McDonald, Research Analyst

Stalking, or criminal harassment, is a recent legislated criminal act. California enacted the world's first legislation in 1990. Canada's criminal harassment provisions, s. 264 of the *Criminal Code*, came into effect on August 1st, 1993, with recent amendments to sentencing (Bill 15A) enacted in the summer of 2002. England and Wales made stalking a crime in 1997.

This study took place in England and assessed the impact of prior relationship and gender on the perceptions of culpability and consequences for the persons involved. The research question was, "Is blame more likely to be attributed to the victim if they are an ex-partner of the stalker, rather than an acquaintance or a total stranger?"

The article reviews the literature in this area. It neatly canvases the genesis of the "Just World" hypothesis and the various studies that have been done to support it. The "Just World" hypothesis (Lerner and Simmons, 1966) states that people re-interpret unjust situations in order to sustain a belief in a controllable and "just world". People tend to believe that we get what we deserve in this "just world" and consequently, when there is a prior relationship between the victim and the perpetrator, it is easier to project blame on to the victim.

A quantitative methodology was used and involved predictions developed through previous research. One hundred and sixty-eight (168) undergraduate psychology students from the University of Leicester took part, 129 in a lecture hall and a further 39 recruited via the Internet. Students were randomly assigned to a vignette that described a typical case of stalking, but where the perpetrator relationship varied from ex-intimate to acquaintance to stranger. The gender of the perpetrator and victim also varied for a total of six different vignettes. After being given five minutes to read the vignette, participants were asked to indicate their opinions on seven questions on an 11-point Likert scale.

There were several significant findings. First, the perceptions of the respondents did not reflect reality, wherein ex-intimate stalkers present the highest risk of violence toward their victims. For example, the victim was seen as more responsible for encouraging the perpetrator's behaviour when s/he was an ex-intimate and as well, police intervention was felt to be more necessary when the perpetrator was a stranger.

CRIMINAL HARASSMENT
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Regarding the gender of the perpetrator, it was found that: bodily injury was thought to be more likely to occur when the perpetrator was male; police intervention was judged to be more necessary when the perpetrator was male; male victims were viewed as more responsible for encouraging the perpetrator's behaviour; and male victims were judged to have a greater capacity to alleviate the situation than were female victims.

"...male victims were viewed as more responsible for encouraging the perpetrator's behaviour..."

While not all the hypotheses were supported, the findings do indicate the presence of certain stereotypical beliefs regarding culpability and consequences for those involved. Studies such as this one highlight the critical necessity for training/education/ awareness around these issues for all criminal justice professionals, as well as the public in general. Shifting attitudes is a gradual process and can take generations. As our experience with drunk driving shows, legislation on its own is a very limited mechanism to address complex social issues.

At present, Research and Statistics Division at the Department of Justice Canada is undertaking a literature review of recent social science research such as that presented in this article. This literature review will further our understanding of the socio-legal dynamics of criminal harassment. With a better understanding, research such as this can assist in formulating the appropriate legislative, policy and program responses.

Children's Involvement in Domestic Abuse Situations

Edleson, J. L., Mbilinyi, L. F., Beeman, S. K., & Hagemeister, A. K. (2003). How children are involved in adult domestic violence: Results from a four-city telephone survey. *Journal of Interpersonal Violence*, 18(1), 18-32.

Reviewer: Kelly E. Morton-Bourgon, Research Officer

The purpose of this study was to determine the level of involvement children initiated when their mothers were being abused. It was also interested in determining what factors might influence that level of involvement. Anonymous telephone interviews were conducted with 114 battered women who were recruited through four domestic violence programs in four metropolitan areas in the United States. The women were asked questions that pertained to the level of involvement their child (children) initiated in domestic violence incidents in the previous 12 months. They were also asked demographic questions such as their level of education, housing situation, job status and relationship to the abuser. Interviews lasted approximately 75 minutes, and the women were paid $20 for their participation in the study.

The average age of the women at the time of the interview was 34 years, with an average age of 25 years at the onset of the abuse. Caucasian women made up 45.6% of the sample, followed by

CHILDREN'S INVOLVEMENT...
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African American women (33.3%), Latino women (11.4%) and other ethnic groups (9.6%). The majority of the women were living in transitional housing (54%); the remainder were living in rented or owned apartments or houses. Fifty-five percent (55%) of the women identified the abuser as a current or former spouse, and 39% identified the abuser as a current or former boyfriend. The 114 women had a total of 285 children, with 71.8% of the women having two or more children.

A variety of different measures were used to gather data about the duration, frequency, and severity of the abuse, the woman's perception of the impact of the abuse on her children, and demographic data for each woman. A "Children Intervened Scale" was created using answers to the questions about the level of involvement the child initiated during a domestic violence incident – from yelling something from a different room to getting physically involved in the incident.

Approximately half of the children attempted to intervene in a domestic violence incident in the previous twelve months. According to mothers' reports, 52% of the children had at least occasionally yelled something from a different room, and 23% had become physically involved in the incident. Only 21% of the children were reported to have called someone for help during the abusive incident. Using bi-variate analyses, children intervened significantly more when:

"According to mothers' reports, 52% of the children had at least occasionally yelled something from a different room, and 23% had become physically involved in the incident."

- their mother was unemployed or living in transitional housing at the time of the interview;
- their mothers were unmarried;
- the child lived alone with the mother or both the mother and abuser at the time of the abuse;
- their mothers were less educated;
- the abuser was not related to the child; and,
- the abuser was older rather than younger.

Additionally, the higher the level of emotional and physical abuse, and the greater the emotional and physical effects on the mother, the more likely the children to became physically involved in the incident. Using multiple regression to predict the factors related to the child's level of involvement in the abuse, the authors found that several factors increased the likelihood of the child's involvement in the abuse. These factors were:

- greater physical violence and physical effects on the mother;
- an older abuser at the onset of abuse;

- the child's relationship to the abuser (not biologically related); and;
- living with both the mother and abuser.

There were several limitations to this study. First, the children's mothers based the level of involvement by the children on retrospective accounts. This may introduce recall bias, as well as possible selective reporting. It was also suggested by the authors that prior research has demonstrated that mothers underreport their child's level of involvement when compared to what the children themselves report. Second, the economic and housing information was collected with regard to the situation at the time of the interview. However, the information about the child's level of involvement in the abuse was for the previous 12 months. Future studies investigating this issue should collect the data from the same time frame in order to determine if the findings in this study are replicable. Finally, this study recruited women through a woman's shelter; therefore the sample is only representative of those women who have, at least temporarily, escaped a violent situation.

This study suggests that there is a need for more services geared toward abused women and their children. Of foremost importance is the safety and security of the mother and child in these situations. Children who become physically involved in an abusive incident between their mother and abuser put themselves at risk of being injured in the process. The assumption being, that placing himself/herself in the middle of a violent incident heightens the risk to the child. This, of course, also raises the question as to whether or not the child's involvement increases the physical risk to the mother in that situation. Given that the research suggests that those children who witness domestic violence become involved in abusive relationships as adults, it is of paramount importance to protect these children from the physical and emotional effects of domestic abuse in order to stop the cycle. Safe places for the mother and child to retreat from a violent situation are of utmost importance. Additionally, this study found that mothers reported less intervention by their children when the mother was married, educated and not living in transitional housing. Therefore, an abused woman's family and economic stability may decrease the risk of the child becoming involved in the abuse, and thus decrease the risk of danger to the child. More research is needed to look at the effects of intervening, on the child, the mother and the escalation of the situation, in domestic violence.

"...the research suggests that those children who witness domestic violence become involved in abusive relationships as adults..."

RESEARCH IN PROFILE

By Dr. Fernando Mata,
Senior Research Officer

Minority Views on the Anti-terrorism Act (Formerly Bill C-36): A Qualitative Study

Background

In December 2001, Parliament of Canada proclaimed into law the *Anti-terrorism Act* (formerly Bill C-36). There has been a perception surrounding the enactment of the legislation, as expressed in some media reports for example, that some minority groups may be unfairly targeted as a result of the provisions contained in the legislation. Given this situation, the Research and Statistics Division of the Department of Justice Canada, and the Criminal Law Policy Team, sought to examine how minority groups viewed the different provisions of the *Anti-terrorism Act*. Building on the consultations undertaken with various groups prior to the enactment of the legislation, this study randomly sampled the views of minority group members from across the country. The present study was not a consultation but rather a focus-group exercise that held structured conversations with participants. While public opinion surveys can tap the Canadian public's view as a whole, ethno-cultural minority positions are more difficult to obtain for reasons such as small sample sizes and comfort in expressing views about such a sensitive topic over the phone. The Research and Statistics Division contracted with the consulting firm Créatec+ in order to conduct the focus groups.

"...the Department of Justice Canada...sought to examine how minority groups viewed the different provisions of the Anti-terrorism Act."

Methodology: Selection of Participants

Focus group participants were selected using random sampling procedures based on telephone lists available for the cities chosen. They were subsequently assigned to three groups covering a wide range of ethnic and visible minority backgrounds based on Statistics Canada's classification of ethnic groups for the 2001 population census. Ethnicity was used as the key selection factor rather than religion or racial backgrounds. Group One was made up of individuals reporting Arab and West Asian ethnicities as well as those of North African and Pakistani ethnicity. Group Two was made up of individuals reporting Black, African, East Asian, South-East Asian and South Asian ethnic origins, excluding Group One members. Group Three was made up of individuals of Western, Northern, Central, Southern and Eastern European

MINORITY VIEWS... continued...

ethnic origins, including those reporting Aboriginal and Jewish backgrounds. Both immigrant and Canadian-born individuals reporting these ethnic backgrounds participated in these groups.

"...138 individuals participated from approximately 60 ethnocultural minority backgrounds."

In total, 138 individuals participated from approximately 60 ethnocultural minority backgrounds. They ranged in age from 18-54 years. Each group was comprised of males and females, with a range of educational levels and occupations.

Moderator's Guide

The moderator's guide for the focus group sessions tapped the following subject areas:

a) awareness of the Anti-terrorism Legislation;
b) reaction to the definition of terrorism;
c) reaction to listing of terrorist entities;
d) reaction to financing of terrorism provisions;
e) reaction to investigative and preventive powers;
f) reaction to some mechanisms associated with investigative and preventive powers; and,
g) impact of the *Anti Terrorism Act* on individuals, families and communities. Special handouts were distributed for the discussion process.

Sessions

Créatec+ conducted the focus groups between March 10 and 21, 2003. In total, 16 two-hour focus groups were carried out in five Canadian cities (Halifax, Montreal, Toronto, Calgary, and Vancouver). Average size per focus group ranged between 8-10 participants. English discussions were conducted in 13 groups (three each in Halifax, Toronto, Calgary, and Vancouver plus one in Montreal) and three were conducted in French (in Montreal).

Findings

In general, awareness of terrorist-related legislation was consistently low across all target groups and in all locations, whether it concerned the *Anti-terrorism Act*, the *Criminal Code* or any other legal measures before or after September 11th. However, participants were generally aware of new post-September 11th travel-related security measures, especially at airports and borders, including the need for passports and permanent resident cards to travel to the United States.

"Overall, participants expressed general support for the provisions of the Anti-terrorism Act..."

Overall, participants expressed general support for the provisions of the *Anti-terrorism Act*, with varying degrees of concern about its application. The *Act* was generally thought to create a sense of comfort, safety, and increased security. Participants generally assumed that Canada's anti-terrorism legislation was less severe than that of the United States and the United Kingdom.

MINORITY VIEWS...
continued...

More specifically,

- The *definition of terrorist activity* was seen as a good idea, but was not well understood, with some concern expressed about possible misinterpretation and its effect on legitimate protests, and confusion over the criteria.

- The intention of the *listing of terrorist entities provision* was viewed in a positive light, but strong concerns emerged over the public nature of the listing, possible ethnic minority stereotyping, doubts about accurate and credible information, the potential for misinterpretation, and loss of privacy. In addition, while the appeal concept was highly valued, most felt that harm to the innocent could already be done before the appeal was heard.

"...while the appeal concept was highly valued, most felt that harm to the innocent could already be done before the appeal was heard."

- While the *financing of terrorism provision* made sense, people worried about potential harm to the innocent, the potential for misinterpretation, and about certain legislative aspects which placed responsibility on individuals instead of on the government.

- Overall, there was general acceptance for the new *police investigative and preventive powers,* despite the possible risks of abuse, including arrest of the innocent, targeting of ethnic minorities, possible misinterpretation, and potential police abuse. Participants generally approved of the wiretapping section, but were confused about the offence relating to the refusal to give information.

- The notion of safeguards garnered high approval and provided relief and greater confidence in the Canadian approach to combating terrorism.

"The sunset clause was poorly understood as a safeguard, and instead seen as a government expectation that terrorism would not be a problem after five years..."

- The *sunset clause* was poorly understood as a safeguard, and instead seen as a government expectation that terrorism would not be a problem after five years, or as validation that police powers were dangerous.

- The *reporting obligation to Parliament* was well received and well understood as a safeguard, which monitored the application of police powers. However, some doubted government transparency and preferred an independent watchdog.

Lastly, participants confused the legislative impact of the *Act* with the impact of September 11th events. When asked about the legislative impact of the *Act*, most cited discriminatory occurrences at

MINORITY VIEWS... continued...

the workplace, in daily activities (e.g. riding public transit), when trying to rent or buy a home, at schools, places of worship, and in social relationships.

Conclusions

Overall, the majority of respondents felt the risk of having the *Anti-terrorism Act* and its new police powers was acceptable to better protect Canadians. Most felt safer or the same with the legislation, and most hoped their reservations would not be validated. Participants adopted a "*wait-and-see*" approach.

A Parliamentary review of the entire *Anti-terrorism Act* is mandated to take place within three years of the *Act* receiving Royal Assent. The present research study is part of the efforts undertaken by the Research and Statistics and the Criminal Law Policy Team to help inform this review.

Genetic Information and Privacy

By Valerie Howe, Senior Research Officer

Biotechnology is the application of science and engineering in the direct or indirect use of living organisms or parts of organisms in an innovative manner to produce goods and services or to improve existing processes. In the biotechnology community, work in the area of human health is known as "red biotechnology" and agricultural and industrial uses are known as "green biotechnology. Health-related biotechnology or genetics is by far the largest area of economic and scientific activity in Canada.

The Bio-economy in Canada

According to BIOTECanada[1] "Canada's biotech sector includes more than 400 companies, ranking second in the world after the U.S. in terms of number of firms. Revenues from Canadian biotech firms increased from $813 million in 1997 to $1.9 billion in 1999 of which over $1 billion was in the field of human health or genetics[2]. Biotech revenues were expected to reach CDN$5 billion in 2002 compared to $1.9 billion in 1998". While much of the science and hope for quality of life improvements are focused on

1 www.biotech.ca

2 *How is the Canadian biotechnology evolving: A comparison of the 1997 and 1999 biotechnology use and development surveys*. A Joint Paper between Statistics Canada and Industry Canada (Life Sciences Branch), March 2003, Executive Summary.

health biotechnology, it takes longer to get health related products to market, particularly those based on new science.

Government Initiatives

"The federal government has identified biotechnology as a key area of its innovation agenda..."

The federal government has identified biotechnology as a key area of its innovation agenda and has been promoting research in "red biotechnology" through a variety of agencies including the Canadian Institutes for Health Research, the National Research Council, Genome Canada, the Canada Foundation for Innovation, and the National Centres of Excellence. The 2003 budget included new spending for genetics research through these agencies. The September 2002 *Speech from the Throne* noted that it would:

- increase its funding to the federal granting councils to provide young Canadians greater support for graduate studies and research. It will work with universities on the indirect costs of research and on strategies for its commercialization to create opportunities for entrepreneurs and to fuel innovation;
- strengthen government science, integrating its efforts across departments and disciplines, and focusing on the priorities of Canadians;
- move forward with a smart regulation strategy to accelerate reforms in key areas;
- adapt its intellectual property framework to enable Canada to be a world leader on emerging issues such as new life forms; and,
- work with provinces to implement a national system for the governance of research involving humans, including national research ethics and standards.

Increasing Attention to the GELS: Ethical, Economic, Environmental, Legal and Social Impacts of Genetic Science

The Canadian Biotechnology Strategy is a federal government initiative that "provides a common biotechnology vision, integrating the dual roles of the federal government respecting biotechnology: vigilant regulator and responsible innovator". The Canadian Biotechnology Advisory Committee (CBAC), created in September 1999, is an expert, arms-length committee that advises the federal government on policy issues associated with the ethical, social, regulatory, economic, scientific, environmental and health aspects of biotechnology. A 20-member, voluntary committee, CBAC is supported by the Canadian Biotechnology

GENETIC INFORMATION AND PRIVACY
continued...

Secretariat and reports to the Biotechnology Ministerial Coordinating Committee (BMCC). In 2001-02 the Government of Canada funded a three-year Inter-departmental Initiative on Genetic Information and Privacy through Industry Canada and the Canadian Biotechnology Advisory Committee (CBAC).

Joy Kane, Senior Assistant Deputy Minister for Policy Sector, Department of Justice Canada, is the federal government Champion for Genetic Information and Privacy; Bill Pentney, the Senior General Counsel, Public Law Policy Section, chairs and provides direction for the Genetic Information and Privacy Working Group (G I & P IWG). In the past year, the Research and Statistics Division has been supporting the Public Law Policy Section and others in the department and the government in developing a research base for a government-wide approach to policy development related to genetic science and the use of genetic information.

The Department of Justice Canada Research for the Genetic Information and Privacy Working Group

The research has produced the following:

- a Genetic Futures Forum on Privacy and Human Rights;
- a report on domestic (Federal/Provincial) legal framework surrounding privacy and human rights for genetic information;
- a report on international legal framework surrounding privacy and human rights for genetic information;
- an issues Identification Report (in-progress);
- an opinion poll conducted by Earnscliffe and Gallup; and,
- a jurisprudence paper on Supreme Court of Canada trends in interpreting human rights, privacy, and disability issues.

Research Findings

In most current privacy and human rights legislation, federal and provincial, genetic information would be protected under more general references to personal information or health data. Legal research indicates that it is likely that protection for genetic information would be read into the *Privacy Act* as well as into provincial legislation, where it is not specifically referred to. In addition, it is evident that one would have a reasonable expectation of privacy in one's genetic information, thus triggering the protections in the *Charter.*

GENETIC INFORMATION AND PRIVACY continued...

"...it is evident that one would have a reasonable expectation of privacy in one's genetic information, thus triggering the protections in the Charter."

Internationally, as well as nationally, there are many different laws that would likely provide protection for genetic information. However, the laws use differing definitions and terminology and there is a need to distinguish genetic information, health information, medical information, genetic samples and so on. In addition, there are differing legal frameworks – privacy, data protection, human rights, health law and others. As well, existing protections apply to different populations (e.g. public and private sectors, international organizations, research organizations.)

Is There Public Concern?

The Genetic Information and Privacy Intergovernmental Working Group, chaired by Justice Canada, commissioned a public opinion poll. This found that the public thinks that few genetic tests are now being undertaken but they realize that such test results are likely to be preserved in a databank. About half feel that the organization that did the test would have some property rights over the sample. They are not sure what protections are in place or whether they are stringent or lax; although most feel the protections should be more stringent than for other health information. They are overwhelmingly concerned about providing access to third parties such as insurers and employers and they consider the protection of the privacy of genetic information to be the most important role for government.

Next Steps

"...they consider the protection of the privacy of genetic information to be the most important role for government."

The Department of Justice and its colleagues in the Intergovernmental Working Group will be working towards the development of policy options based on the research evidence already gathered. A number of meetings, seminars and expert panels will be held to further consider and evaluate any policy and legal needs to ensure that Canadians are comfortable with the protections provided to their genetic information. ▲

A Review of the Literature on Youth Auto-theft Offending: Characteristics, Motivations and Motor Projects

Introduction

By Steven Kleinknecht, Research Analyst

According to recent results from the International Crime Victimization Survey, Canada ranked fifth out of seventeen countries for risk of vehicle theft - a crime that is estimated to cost Canadians nearly $1 billion each year (Wallace, 2003). Young offenders are responsible for a significant proportion of this form of crime. Data from the 2001 Uniform Crime Report (UCR)

A REVIEW OF THE LITERATURE... continued...

"...youth between the ages of 12 and 17 accounted for almost half (42%) of Canadians charged for motor vehicle theft."

Survey indicate that youth between the ages of 12 and 17 accounted for almost half (42%) of Canadians charged for motor vehicle theft. As will be discussed in this article, while some youth steal vehicles for financial gain, these offenders are more likely to do so for joyriding purposes. Youth involvement in auto-theft, their characteristics and motivations, and Canadian statistics on young auto-theft offenders, as well as common program elements developed to deal with these offenders represent the focus of this article.

This paper offers a synopsis of the key details and findings presented in the literature. It should be noted that very little in the way of Canadian research was discovered in the literature search. Therefore, aside from a discussion of Canadian statistics based on UCR Survey and Youth Court Survey (YCS) data, the majority of the findings are from British research.

Statistics on Canadian Youth and Auto-theft

Although more females have become involved in vehicle theft in Canada over the past 25 years, UCR data reveal that auto-theft among youth is still predominantly a male crime (see Figure 1). According to 2001 YCS data,[1] the majority (54%) of young offenders convicted of vehicle theft in Canada are 15 to 16 years old. Twelve- and thirteen-year-olds accounted for only a small percentage of young auto-theft offenders (1.9% and 5.8% respectively). At a rate of 6.41 per 1,000 youth, the Territories had the highest rate of youth charged for vehicle theft in the country.[2] The Prairie region had the second highest rate at 5.58 per 1,000 youth. With 2.27 per 1,000 youth charged for auto-theft, the Atlantic region was just below the national rate of 2.49. Canada's three most populous provinces, Ontario, British Columbia and Quebec, had the lowest rates of youth auto-theft in the country, equalling 2.06, 1.69 and 1.10 per 1,000 youth respectively. YCS data from 2001 indicate that probation was used as the most significant sentence for the majority (56%) of young auto-theft offenders in Canada. Custody was used as the most significant sentence in 31% of all auto-theft cases. Community Service was used in 5% of cases as the most significant sentence. Fines, Absolute Discharges, "Other" sentences, Conditional Discharges, Compensation, and Compensation in Kind combined were used in less than 8% of all youth auto-theft sentences as the most significant sentence.

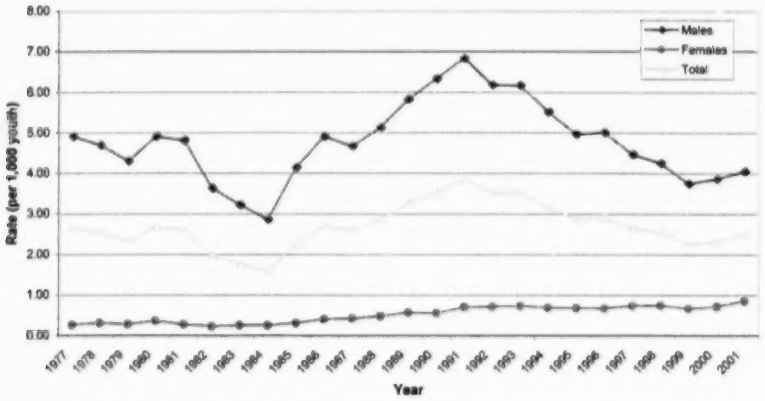
"...probation was used as the most significant sentence for the majority (56%) of young auto-theft offenders in Canada."

[1] Information on the specific ages of youth were not available from the UCR Survey. Therefore, YCS data are used.

[2] Based on 2001 data from the UCR Survey and Statistics Canada's Annual Demographic Statistics.

A REVIEW OF THE LITERATURE... continued...

Figure 1: Rate of Canadian Youth Charged for Auto-theft[3]



Offender Characteristics

Research from other countries also indicates that the vast majority of auto-theft offenders are male and commonly become involved in vehicle offending in their early-to mid-teens. These individuals often grow-up with few positive role-models and live in disadvantaged and overcrowded neighbourhoods that lack leisure facilities. The research suggests that young auto-theft offenders are characterized by high levels of truancy and unemployment, poor self-esteem, economic deprivation, and low levels of educational attainment.

Offender Motivations

"The majority of offenders steal cars for personal use (e.g., joy-riding and transportation)..."

The majority of offenders steal cars for personal use (e.g., joy-riding and transportation), however, theft for financial gain (e.g., selling parts of the vehicle, insurance fraud) also occurs, but to a lesser degree. Younger offenders are more likely to take cars for joyriding purposes, but as these individuals get older and become more skilled and confident in their abilities, money-making often becomes a primary interest. Two of the most commonly reported motivations for stealing vehicles are excitement and peer pressure, as the delinquent act provides an escape from boredom and a way to gain status amongst peers.

Motor Projects

Programs initiated to deal with vehicle offenders are commonly referred to as motor projects. Two of the most common components of these projects include: (a) automotive maintenance and driving courses; and, (b) challenging offender

[3] The auto-theft rate listed in Figure 1 is based on UCR data and represents the number of youth charged with "taking a motor vehicle without consent" per 1,000 youth.

A REVIEW OF THE LITERATURE ... continued...

attitudes and behaviours. Building upon offenders' interest in vehicles, the automotive classes and driver training are used to teach offenders about road safety and appropriate driving, how to use and spend time with vehicles in a constructive way, and to provide them with vocational skills. By challenging offenders' attitudes and behaviours, the goals are to reinforce a pro-social perspective and work towards building self-esteem by encouraging offenders to take responsibility for their behaviour and performance within the program, while educating them about the seriousness of car offending and emphasizing the impact their actions have on their victims. Given the influence of the negative peer group, the literature suggests that programs should not only seek to challenge offenders' anti-social attitudes and behaviours, but also teach them the social skills necessary to build associations within a positive peer group.

"...the literature suggests that programs should not only seek to challenge offenders' anti-social attitudes and behaviours, but also teach them the social skills necessary to build associations within a positive peer group."

Some motor projects also involve racing (e.g., off-road motorcycling, go-karting, "banger car" racing). The racing component is grounded on the philosophy of providing offenders with the opportunity to engage in thrill-seeking behaviour in a controlled atmosphere where they will not endanger the public. While this feature has been advocated as a valuable component of motor projects (Dawes, 2001), the literature suggests that racing is not being used as frequently as it was in the late 1980s and early 1990s, as it has been criticized for contributing to re-offending. With that said, a key component of motor projects should be the provision of legal alternatives to car theft, which aim to alleviate boredom and provide youth with exciting, appropriate activities.

Program Outcomes

"In terms of reducing recidivism, motor projects have had mixed results."

In terms of reducing recidivism, motor projects have had mixed results. Some program evaluations have found fairly high degrees of re-offending (more than 50%), with younger offenders recidivating and dropping out of programs more frequently than older offenders. However, some researchers have noted reasonable success. For example, Wilkinson's (1997) evaluation of the Ilderton motor project, which used a quasi-experimental design to compare matched groups of offenders who participated in the program with those that did not, shows that the project had quite strong results in reducing recidivism. Beyond an examination of re-offending, researchers have attributed other positive outcomes to program attendance such as improved attitudes towards driving, road safety and education. In order to provide a more complete assessment of these programs, further studies involving matched samples or random assignment of program participants and non-participants are needed.

REFERENCES
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"...the research stresses the need for diversionary and preventative tactics with this offender population at the outset of offending behaviour..."

Conclusion

Given the extensive criminal histories of offenders entering into motor projects, their links to a delinquent peer group and internalization of a deviant identity have been strongly established. This, in turn, further complicates the process of re-directing these youth away from a delinquent career path. As such, the research stresses the need for diversionary and preventative tactics with this offender population at the outset of offending behaviour (Hills, 1998; Light et al., 1993; Rutherford, 1992; Slobodian & Browne, 2001). Emphasizing findings from Light et al. (1993), Slobodian and Browne (2001) indicate that the nature of car crime, the influence of peers and the age of offenders underline the need for early diversionary strategies. For programs to be effective with auto-offenders, Smith (1999) argues that the needs of offenders must be carefully targeted, and programs must be well-managed and run following exacting criteria.

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CURRENT AND UPCOMING

RESEARCH FROM THE RESEARCH AND STATISTICS DIVISION

Victim Participation in the Plea Negotiation Process in Canada: A Review of the Literature and Four Models for Law Reform

Contact: Anna Paletta, Principal Researcher

Dr. Simon Verdun-Jones, Professor of Criminology at Simon Fraser University addresses the negative consequences of omitting victim participation from the plea negotiation process. Verdun-Jones compares the Canadian experience to the United States model where each state, with support from the federal courts, has developed a system for the judicial regulation of plea negotiations resulting in increased victim participation. The report examines the current legislative and judicial responses to plea negotiation, discusses the merits of allowing victims increased participation in the criminal justice system, and identifies four potential models, based on the United States model, for the participation of victims in the plea negotiation process. This report was conducted for the Policy Centre for Victims Issues, in conjunction with the Research and Statistics Division, and is expected to be available in published format this Fall.

Spousal Assault

Contact: Nathalie Quann, A/Senior Statistician

The Department of Justice Canada has initiated a contract with the British Columbia Institute for Family Violence and Dr. P. Randall Kropp, to undertake the creation of a tool called "Brief Spousal Assault Form for the Evaluation of Risk" (B-Safer) for criminal justice personnel to use in determining risk in cases of spousal violence. B-Safer is a shorter version of the Spousal Assault Risk Assessment, also known as "SARA", that has been created by Dr. Kropp, Stephen D. Hart, Christopher D. Webster and Derek Eaves of the BC Institute for Family Violence. B-Safer is currently being tested by police officers at three sites (Vancouver, Charlottetown and Summerside). Testing is also expected to begin in Calgary and a francophone/bilingual site by September 2003.

Youth Court Dispositions and Recidivism

Contact: Jeff Latimer,
Senior Research Officer

The purpose of this study is to examine the association between disposition type and recidivism amongst young offenders. Analyses will be based on data from the Youth Court Survey (YCS), which is administered by the Canadian Centre for Justice Statistics. The YCS compiles case-based data from provincial and territorial youth courts pertaining to all criminal prosecutions of accused persons between the ages of 12-17. The study sample will consist of all youths convicted of a criminal offence in the fiscal year of 1999-2000. The association between disposition type and recidivism will be examined after controlling for several risk factors, including age, index offence, and criminal history. A final report is expected by Winter 2004.

Treating Youth in Conflict with the Law: A New Meta-Analysis

Contact: Jeff Latimer,
Senior Research Officer

There is a substantial, and still growing, body of literature that has examined the effectiveness of treatment in reducing the delinquency of youth. The results of this literature, however, are rather conflicting when examined individually. Numerous studies demonstrate that treatment programs have significantly improved the recidivism rates of youth while others provide contradictory results. In an attempt to develop a more definitive understanding, previous researchers have utilized meta-analytic techniques as a method of aggregating the results of the numerous studies. While previous meta-analyses provide an important contribution to our understanding of treatment effectiveness, they are based upon a large body of literature that dates back to the 1960s and 1970s where youth delinquency included what has traditionally been labelled status offences (e.g., truancy, promiscuity). In addition, a large proportion of the literature examined youth who were considered "at-risk" to engage in delinquent behaviour.

In Canada, the *Young Offenders Act* (YOA) decriminalized these behaviours in 1984 and focused the youth criminal justice system on *Criminal Code* offences. As such, it is important to disentangle the potential effects of status offenders and at-risk youth from the results to determine what program characteristics are effective with youth who are *already engaged in criminal behaviour*. Furthermore, existing meta-analyses have defined "youth" quite liberally and included programs that primarily targeted young adults (over 17 years of age). In Canada, the youth criminal justice system only deals with youth 12 to 17 years of age and as

TREATING YOUTH...
continued...

such, it is useful to examine the effectiveness of treatment with this age group in isolation from older youth.

The present meta-analysis addressed the limitations of previous research by including studies that primarily examined youth who had committed what would constitute a *Criminal Code* offence under current standards. As well, only programs that primarily treated participants younger than 18 years of age were included. In order to broaden the analysis, we expanded the definition of a successful program beyond recidivism to include measures such as family functioning, school performance, and psychological well being. The results of this meta-analysis provide direction based upon the accumulation of knowledge from almost 200 studies dealing directly with youth engaged in criminal behaviour and identify 15 specific characteristics of successful treatment programs for young offenders.

Youth Transferred to Adult Court

Contact: Jeff Latimer,
Senior Research Officer

While Section 16 of the *Young Offenders Act* allowed for youth 14 and older to be transferred to adult court, Section 61 of the *Youth Criminal Justice Act* now allows youth court judges to impose adult sentences on young offenders without transferring the case to Adult Court. Currently the only Canadian information available about this population of transferred youth is the number of youth transferred to adult court as collected through the Youth Court Survey administered by Statistics Canada. Absent from any Canadian research are profiles of transferred youth cases, and what happens to these youth subsequent to their transfer.

The Department of Justice is currently working with the provinces/territories jurisdictions to develop a descriptive profile of successful transfer applications by the Crown over a five-year period (1996/97 to 2001/02). The report would provide general information on the types of cases, the sentences and outcomes. A report is expected by Winter 2004.

Patterns of Crime in Canadian Cities: A Multivariate Statistical Analysis

Contact: Dr. Kwing Hung,
Statistical and Methodological
Advisor

The Uniform Crime Reporting Survey (UCR1) is a survey of crime covering all types of crime from all police departments across Canada. While such comprehensive data provide an accurate count of all crimes known to the police, the large number

PATTERNS OF CRIME...
continued...

of crime types (over 100 types) also makes it difficult to summarize the crime patterns of geographical units such as cities. Because of such difficulty, most reports on crime use only a few summary measures such as the overall crime rate, the violent crime rate, and the property crime rate. Rates for individual types of crime are almost always neglected, perhaps with the exception of homicide.

This study uses the multivariate statistical techniques of factor analysis to summarize large amount of data on crime into generalized patterns of crime. The results show that the statistical analysis was successful in representing the crime patterns of 600 individual cities across Canada by four crime indices for each city. Furthermore, the indices also provide information on each city relative to all other cities. Such information could be used to pinpoint crime problems and would be helpful in assisting local criminal justice agencies to develop crime control and prevention strategies targeting specific types of crime.

In addition, cities are grouped by another statistical technique of discriminant analysis to examine whether crime patterns differ between geographical regions and between city size classes. Some results confirm popular perceptions. For example, moral offences increase with city size and are most serious in large cities. However, the analysis also reveals some surprising results. For example, violent crimes are more serious in the Atlantic and Prairie provinces than in other regions; violent crimes are also more serious in small towns than in larger cities.

This study uses data for 1999. However, the methodology can be applied to more recent data and also to other kinds of data where the interrelationship between variables is not easily recognized.

Copies of the published report are available upon request. An electronic copy of the report is available at the following website. http://canada.justice.gc.ca/en/ps/rs/rep/patternsofcrime.pdf

Socio-Demographic Domains of Crime in Canada's Largest Cities

Contact: Dr. Fernando Mata,
Senior Research Officer

Using data from the 2001 population census and the uniform crime reporting survey compiled by the Canadian Centre for Justice Statistics, empirical associations between selected socio-demographic characteristics of cities and crime rates were examined across the 24 major census metropolitan areas (CMAs) of the country in 2001. Selected population indica-

SOCIO-DEMOGRAPHIC...
continued...

tors tapped the presence of socio-demographic social groups as residents in these areas. Crime indicators included violent and property crime rates as well as rates of youth charged with *Criminal Code* offences.

Statistical analysis of the correlations between population and crime indicators revealed that four global population characteristics were associated with crime rates: a) the younger age of the workforce, b) the ethnic diversity of the population and the presence of both c) economic and d) socially vulnerable groups such as women, Aboriginals and lone parents. These characteristics explained about 70% of the total variation in the data. Cities with larger numbers of young workers, lone parents, Aboriginals and women as residents ranked at top levels in terms of crime. Winnipeg, Regina, Saskatoon and Thunder Bay were identified as cities where the population mix was the most favorable for the development of several forms of violent and property crimes in the future.

This research was undertaken in support of the National Crime Prevention Center's in developing community profiles for different geographical areas of the country. It is expected that the analysis will provide background information which may prove helpful in assisting crime prevention programs, particularly in cities where the population mix creates potentials for crime.

Self-Reported Delinquency in Canada: Analysis of the National Longitudinal Survey of Children and Youth

Contact: Jeff Latimer,
Senior Research Officer

The National Longitudinal Survey of Children and Youth (NLSCY) provided a useful data source for the examination of self-reported delinquency in Canadian youth. The NLSCY is a joint project between Statistics Canada and Human Resources Development Canada. The goal of the survey is to monitor the development and well being of Canada's children as they grow from infancy to adulthood. Initiated in 1994, the NLSCY was designed to follow a representative sample of Canadian children (newborns to 11 year olds) into adulthood. New interview and questionnaire data are collected every two years. The data used in this study were drawn from 1998 – the most recent cycle for which the self-report data were available (Cycle III). During Cycle III, individuals between 12 and 15 years of age filled out self-administered questionnaires designed to examine a number of different aspects of their lives (e.g., friends, family, school, feelings and behaviours, delinquent behaviour, health, and work). Data on each child, including items such as his or her family's economic, labour force and health status, birth information, behaviour, social

SELF-REPORTED...
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relationships, school performance, and learning environment were collected from the person most knowledgeable (PMK) about the child, the PMK's spouse (if applicable), and the child's principal and teachers through questionnaires and interviews. Multiple regression analysis was selected to identify the significant correlates of self-reported delinquency, which was defined as violations of the *Criminal Code* and did not include non-criminal misbehaviour such as truancy or tobacco/alcohol use. Additional regression analyses were conducted separately to determine if the regression models would be significantly affected by gender, Aboriginal status, and/or the type of delinquent behaviour (i.e., violent, sexual, property, drug). A final report will be available from the Research and Statistics Division in Fall 2003.

CURRENT AND UPCOMING

RESEARCH FROM AROUND GOVERNMENT

An Examination of the Use of Pre-sentence Reports in Canada

By James Bonta and Guy Bourgon, Corrections Research, Solicitor General Canada

The Pre-sentence Report (PSR) is described in section 721 of the *Criminal Code of Canada*. After an admission or finding of guilt and at the request of the court, the PO is directed to prepare a report in order "to assist the court in imposing a sentence". The content of the report is outlined in a general manner in the *Criminal Code* (e.g., "age, maturity, character") and the provinces are permitted to specify in more detail the form and content of the report. However, empirical research on the value and impact of PSRs on sentencing and corrections is sparse internationally and almost non-existent in Canada. Clearly, a better understanding of the value of PSRs in the criminal justice system is needed.

"...empirical research on the value and impact of PSRs on sentencing and corrections is sparse internationally and almost non-existent in Canada."

In December of 2002, the Department of the Solicitor General of Canada, with the assistance of the Sentencing Reform Team of Justice Canada, initiated a research program that intended to shed more light on the function and value of PSRs. The overall purpose of the PSR project is to provide a description and baseline of practice associated with the preparation and use of the PSR. The documentation of PSR practices and examination of how it may benefit sentencing and community case management is expected to lead to improvements in the use of the PSR.

More specifically, the following questions are asked by the research:

1. What are the reasons for requesting a PSR?
2. What are the resource demands in preparing a PSR?
3. Is the content of the PSR helpful for sentencing and case management planning?
4. How does the PSR influence sentencing?

"What are the reasons for requesting a PSR?"

To answer the first question, the study begins by interviewing judges and asking them why the PSR is important to them and what types of information they are seeking about a case. Although the request for a PSR originates with the judge, it is possible that the Crown or the defense may ask the judge to order a PSR. Thus, the study will interview other court officials (defense, Crown) about their motivation in asking the judge for a PSR. For each judge, a sample of 10 cases where a PSR is requested will be compared to a random sample of 10 cases where a PSR was not requested. By examining the differences between PSR and non-PSR cases the study will be able to empirically identify some of the factors important in determining a request for a PSR.

"What are the resource demands in preparing a PSR?"

With respect to the second question concerning resource demands, information will be collected on the process of conducting a PSR assessment, the resources required, and the specific content of the reports. An audit of the time and resources required to complete a PSR will provide estimates of the costs associated with PSRs that can be weighed against the benefits identified from the project.

"Is the content of the PSR helpful for sentencing and case management planning?"

Next, in order to answer the third question posed, the PSR will be reviewed and evaluated as to the value of the content. This requires an analysis of the PSR based on two general criteria. First, how well does it answer the concerns of the judge? In consideration of the Supreme Court decisions related to *R. v. Gladue* and *R. v. Proulx*, this study will direct added attention and analysis to the use of PSRs for Aboriginal offenders and for cases resulting in a conditional sentence. Second, the PSR can be evaluated as to how well the report addresses offender criminogenic needs and formulates appropriate treatment and case management recommendations. For the court, this aspect of the PSR can be very important in considering a community disposition. Related to the question of usefulness, the main consumers of the PSR (judges, Crowns, defense counsels and probation officers) will also be asked to comment on the relevance of the PSR to their work.

"How does the PSR influence sentencing?"

The *Criminal Code* states that the purpose of a PSR is to assist "the court in imposing a sentence". This purpose assumes that the introduction of a PSR somehow alters a sentencing outcome. Whether or not it does and how it impacts on sentencing is an

AN EXAMINATION OF THE USE...
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empirical question. The research will examine if the court follows the recommendations from a PSR. We expect some congruence and the research will attempt to identify the conditions under which there is agreement and disagreement between the recommendations and the disposition of the case.

Researchers from the Department of the Solicitor General of Canada have been working with court and correctional officials in engaging participants in the research. Researchers are hoping to identify one site per provincial/territorial jurisdiction for the project. Data collection for this project has already begun in Ottawa, Victoria and Regina, Edmonton, Whitehorse, Winnipeg, Iqaluit, Saint John, and St. John's. We hope to enlist the support of the remaining jurisdictions by the summer of 2003 and complete data collection by March 31, 2004.

Canadian Centre for Justice Statistics

Justice Spending in Canada
(*Juristat*, Catalogue no. 85-002-XIE, Vol. 22, no. 11)

- Expenditures on policing, courts, legal aid, criminal prosecutions and adult corrections totalled more than $11 billion or $362 per Canadian in 2000/01. Total expenditures for these five sectors of the justice system increased approximately 3% over 1999/00 spending levels and 10% over 1996/97 expenditures.
- For every dollar spent on these sectors of the justice system, 61 cents went to policing, 22 cents to adult corrections, 9 cents to courts, 5 cents to legal aid plans and 3 cents to criminal prosecutions.
- Criminal prosecutions expenditures were $335 million, up 15% from 1998/99 (the last year for which criminal prosecution data were available).

Adult Criminal Court Statistics, 2001/02
(*Juristat*, Catalogue no. 85-002-XIE, Vol. 23, no. 2)

- In 2001/02, adult criminal courts in ten provinces and territories (not including Manitoba, Northwest Territories, and Nunavut) processed 452,450 cases involving 992,567 charges.

- Of total cases in 2001/02, nearly one-third (31%) were resolved within a month, and almost half (45%) took between one and eight months to complete. It took between eight months and one year to complete 11% of cases, and the elapsed time was more than one year in 12% of cases heard.
- A term of probation was the most frequently imposed sanction (44% of guilty cases). A term of imprisonment was imposed in 34% of cases, and a fine was imposed in 34% of cases.

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INTERNET SITE:
HTTP://CANADA.JUSTICE.GC.CA/EN/PS/RS/INDEX.HTML

JustReleased

Here is a list of reports recently released by the Research and Statistics Division of the Department of Justice Canada that may be of interest to you, all of which are available on our Internet site at: **http://canada.justice.gc.ca/en/ps/rs/rep/100-e.html**

Borders Conference - Rethinking the Line: The Canada-U.S. Border Child Pornography on the Internet Session
Summary of a panel discussion, organized by the Research and Statistics Division on Child Pornography on the Internet. The panel brought together international experts from a variety of fields including criminal justice, law enforcement and academia to discuss issues arising from child pornography on the Internet. http://canada.justice.gc.ca/en/ps/rs/rep/E_border.pdf

The Relationship between Child Pornography and the Commission of Sexual Offences against Children
Describes the state of knowledge on the role of pornography in sexual offences against children. The evidence on the link between adult and child pornography and sexual abuse is reviewed, including clinical and retrospective studies from the social science literature as well as published anecdotal reports and expert opinion. http://canada.justice.gc.ca/en/ps/rs/rep/rr00-5.pdf

Strategic Action Plan for the Policy Sector
The Strategic Action Plan for the Department of Justice Canada identified the need to strengthen the ability to measure and report on the state of the national Justice System. This report is the outcome of a working group that was formed to develop a framework that could measure the state of the justice system over time.
http://canada.justice.gc.ca/en/ps/rs/rep/strategic_actions.pdf

Patterns of Crime in Canadian Cities: A Multivariate Statistical Analysis
In this article, Dr. Kwing Hung, a methodologist and statistician in the Research and Statistics Division, applies an innovative approach to analyzing a traditional area of inquiry— the patterns of crime which exist in Canadian Cities.
http://canada.justice.gc.ca/en/ps/rs/rep/patternsofcrime.pdf

Gap Analysis of Research Literature on Issues Related to Street-Involved Youth
"The goals of this literature review were: 1) to identify key characteristics of street-involved youth; 2) to explore how these characteristics are transected by factors of familial background and the conditions and experiences of street life in such a way as to create a constellation of risks for young people who spend significant amounts of time on the street; 3) to examine the range of research methodologies used in these studies of study street youth; 4) to examine briefly programmatic responses to their service needs; and 5) to identify gaps in research that, if appropriately addressed, could contribute significantly to a better understanding of this phenomenon and to the development of more effective programmatic responses."
http://canada.justice.gc.ca/en/ps/rs/rep/rr2002-8.pdf